

that the appellant was approved for an ADA accommodation in November of 2018 that allows him to take an examination in a reader format.²

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides that unless otherwise provided for by the Chairperson of the Commission or designee, applications for promotional examinations shall be submitted to the Commission no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the appellant did not submit an application by the closing date for the subject examination and incorrectly filed for the wrong examination. The Commission generally denies requests to accept late examination applications, as *N.J.A.C.* 4A:4-2.1(e) requires applicants to file their applications by the closing date. In that regard, in *In the Matters of Supervising Family Service Specialist 2 (PS1035K), Supervising Family Service Specialist 2 (Bilingual in Spanish and English) (PS1036K), Supervising Family Service Specialist 1 (PS1032K), Supervising Family Service Specialist 1 (PS1015K), and Family Service Specialist 1 (PS2267K), Department of Children and Families*, (CSC, decided October 19, 2016), the Commission determined that it would not permit applicants who file for an incorrect examination symbol to file a late application for the correct symbol given that there are numerous warnings provided to ensure the proper symbol is used when initially applying for the test. However, under the circumstances presented, the Commission finds that there is good cause to relax *N.J.A.C.* 4A:4-2.1(e) and allow the appellant to submit a late application for the subject examination.

The Commission emphasizes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998).

Finally, the Commission notes that the appellant's remedy is based on the particular circumstances of this matter, and for future examination announcements, he must timely file an application. As this remedy is limited to the unique circumstances of this matter, it does not provide a precedent in any other matter.

² Questions will be read to the appellant for his response. Extra time will be allotted for this type of examination process.

ORDER

Therefore, it is ordered that this petition be granted, and B.C. be permitted to submit an application for the Family Service Specialist 1 (PS4824K), DCF, examination. It is further ordered that B.C. submit a promotional application and the \$25.00 application processing fee to the Division of Agency Services within 20 days of the issuance date of this decision. Upon receipt of the application and processing fee, it is ordered that his application be processed for prospective appointment consideration. Finally, if B.C.'s application and the required payment are not postmarked within 20 days of the issuance date of this decision, he will not be entitled to have an application for the subject examination processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 22nd DAY of MAY, 2019



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: B.C.
Linda Dobron
Kelly Glenn
Records Center